

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Security Life Insurance Company of
America, a Minnesota corporation,

Civil File No. 11-CV-1358 MJD/JJK

Plaintiff,

v.

**STIPULATED MOTION
FOR ORDER CONFIRMING
ARBITRATION AWARDS**

Southwest Reinsure, Inc., a New Mexico Corporation; James B. Smith; Family Heritage Reinsurance Co., Ltd., a corporation organized under the laws of the Turks and Caicos Islands; Ideal Insurance Company, Ltd., a corporation organized under the laws of the Turks and Caicos Islands; Sierra Family Life Reinsurance Co., Ltd., a corporation organized under the laws of the Turks and Caicos Islands; Libre Insurance Co., Ltd., a corporation organized under the laws of the Turks and Caicos Islands; INA Trust FSB, a federally chartered savings bank; ABC Corporation and John Does 1-10; and XYZ Corporation and Jane Does 1-10,

Defendants.

Plaintiff Security Life Insurance Company of America (“Security Life”) and Defendants Southwest Reinsure, Inc. (“Southwest Re”), James B. Smith, Ideal Insurance Company, Ltd. (“Ideal”) and Libre Insurance Company, Ltd. (“Libre”) (collectively, the “Arbitration Parties”), through their counsel of record, hereby stipulate and agree to move the Court for an Order Confirming Arbitration Awards, as follows:

WHEREAS, three reinsurance agreements at issue in this litigation each contain an arbitration clause and are in the record before the Court as Exhibits B, C, and D to the Amended Complaint [Docket Nos. 60-2, 60-3, and 60-4];

WHEREAS, by Order dated February 11, 2013 [Docket No. 103], the Court stayed all claims brought by Security Life in this action, pending arbitration of Security Life's claims against Southwest Re, Smith, Ideal, and Libre pursuant to the arbitration clauses of the reinsurance agreements;

WHEREAS, the Arbitration Parties selected a three-member Arbitration Panel pursuant to the rules of the American Reinsurance and Insurance Arbitration Society;

WHEREAS, the Arbitration Panel held a hearing in this matter in Minneapolis, Minnesota, from May 12, 2014, through May 16, 2014, and closed its record on September 5, 2014;

WHEREAS, the Arbitration Panel issued an Interim Final Arbitration Award dated December 13, 2014, which directed the Arbitration Parties to complete additional accounting work with respect to the reinsurance program;

WHEREAS, the Arbitration Panel issued a Second Interim Final Arbitration Award dated January 28, 2015, resolving disputes relating to the accounting ordered by the December 13, 2014, Arbitration Award;

WHEREAS, the Arbitration Parties submitted final accounting information to the Arbitration Panel on or about February 13, 2015;

WHEREAS, the Arbitration Panel retained jurisdiction over this matter until March 15, 2015, after which the Arbitration Awards became final orders of the panel;

WHEREAS, a Confidentiality Agreement between the Arbitration Parties requires them to submit decisions of the Arbitration Panel under seal, subject to the approval of this Court;

WHEREAS, a true and correct copy of the Confidentiality Agreement is attached to this Stipulated Motion as **Exhibit A**;

WHEREAS, true and correct copies of the Interim Final Arbitration Award and the Second Interim Final Arbitration Award (the “Arbitration Awards”) are attached to this Stipulated Motion under seal as **Exhibits B and C**;

WHEREAS, a true and correct copy of the correspondence in which the Arbitration Panel confirmed that the Arbitration Awards are final is attached to this Stipulated Motion under seal as **Exhibit D**; and

WHEREAS, Security Life, Southwest Re, Smith, Ideal, and Libre each agree that there is no basis for the Court to vacate, modify, or correct the Arbitration Awards.

NOW, THEREFORE, the parties agree as follows:

1. The Arbitration Awards must be confirmed under 9 U.S.C. § 9.
2. Judgment should be entered on the Arbitration Awards under 9 U.S.C. § 13.
3. The parties respectfully request that the Court enter an Order Confirming the Arbitration Awards consistent with these stipulations.

***Counsel for Plaintiff Security Life Insurance
Company of America***

DATED: April 9, 2015

/s/ Sarah E. Crippen

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***Counsel for Defendants Southwest Reinsure,
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DATED: April 9, 2015

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DATED: April 9, 2015

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